08-01789-cgm Doc 5356

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.≯JS 44C/SDNY REV. 7/2012

The JS-44 civil cover sheet and the information contained herein neither reptace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS				DEFENDANTS					
	eth L. Evenstad Rev ants listed in Appen	rocable Trust u/a/d May 2, idix A	2000 and additional	Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities, LLC					
	·	E, ADDRESS, AND TELE		ATTORNEYS (IF KNOWN)					
New Y	ork, NY 10154	el B. Besikof, Loeb & Loeb 00 and additional attorney	•	David J. Sheehan Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, NY 10111 Telephone: (212) 589-4216					
	E OF ACTION (CITE	THE U.S. CIVIL STATUTE (	JNDER WHICH YOU ARE FIL	ING AND WRITE A BRIEF ST					
An ap	•		. STATUTES UNLESS DIVER intervention pursuant t	•	or in the alternative, F	ed. R. Bank. 9033]			
Has th	is or a similar case	been previously filed in SI	DNY at any time? No	Yes X Judge Previou	<sub>usly Assigned</sub> Jed S. F	Rakoff			
If yes,	was this case Vol.	Invol Dismissed.	No Yes If yes,	give date		see Appendix B			
ls this	AN INTERNATIONAL	ARBITRATION CASE? No	⊠ Yes 🗌		P4474444				
(PLAC	E AN [x] IN ONE B	OX ONLY)	NATURE OF S	SUIT					
	•	TORTS			ACTIONS UNDER STATUTES				
CONTR	ACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES			
	INSURANCE MARINE MILLER ACT NEGOTIABLE INSTRUMENT RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT MEDICARE ACT RECOVERY OF DEFAULTED STUDENT LOANS (EXCL VETERANS) RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS STOCKHOLDERS SUITS OTHER CONTRACT CONTRACT PRODUCT LIABILITY FRANCHISE  ROPERTY  LAND CONDEMNATION FORECLOSURE RENT LEASE & EJECTMENT TORT PRODUCT LIABILITY TORTS TO LAND TORT PRODUCT LIABILITY ALL OTHER REAL PROPERTY	[ ] 310 AIRPLANE [ ] 315 AIRPLANE PRODUCT LIABILITY [ ] 320 ASSAULT, LIBEL & SLANDER [ ] 340 MERINE [ ] 345 MARINE PRODUCT LIABILITY [ ] 345 MARINE PRODUCT LIABILITY [ ] 350 MOTOR VEHICLE PRODUCT LIABILITY [ ] 360 OTHER PERSONAL INJURY   ACTIONS UNDER STATUTES CIVIL RIGHTS [ ] 441 VOTING [ ] 442 EMPLOYMENT [ ] 443 HOUSING/ ACCOMMODATIONS [ ] 444 WELFARE [ ] 445 AMERICANS WITH DISABILITIES - OTHER [ ] 446 AMERICANS WITH OISABILITIES - OTHER [ ] 447 OTHER CIVIL RIGHTS ( Non-Prisoner)	[]362 PERSONAL INJURY-MED MALPRACTICE []365 PERSONAL INJURY PRODUCT LIABILITY PRODUCT LIABILITY  PERSONAL PROPERTY  []370 OTHER FRAUD []371 TRUTH IN LENDING []380 OTHER PERSONAL PROPERTY DAMAGE PROPERTY DAM	PROPERTY 21 USC 881  []630 LIQUOR LAWS []640 RR & TRUCK []650 AIRLINE REGS []660 OCCUPATIONAL SAFETY/HEALTH []690 OTHER  LABOR  []710 FAIR LABOR STANDARDS ACT []720 LABOR/MGMT RELATIONS []730 LABOR/MGMT REPORTING & DISCLOSURE ACT []740 RAILWAY LABOR ACT []790 OTHER LABOR []791 OTHER LABOR []791 UTIGATION	M 422 APPEAL 28 USC 158  [] 423 WITHDRAWAL 28 USC 157  PROPERTY RIGHTS  [] 820 COPYRIGHTS [] 830 PATENT [] 840 TRADEMARK  SOCIAL SECURITY  [] 861 HIA (1395ff) [] 862 BLACK LUNG (923) [] 863 DIWC/DIWW (405(9)) [] 864 SSID TITLE XVI [] 865 RSI (405(9))  FEDERAL TAX SUITS [] 870 TAXES (U.S. Plaintiff or Defendant) [] 871 IRS-THIRD PARTY 28 USC 7609	[ ] 400 STATE REAPPORTIONMENT [ ] 410 ANTITRUST [ ] 430 BANKS & BANKING [ ] 450 COMMERCE [ ] 460 DEPORTATION [ ] 470 RACKETER INFLUENCE & CORRUPT ORGANIZATION ACT (RICO) [ ] 480 CONSUMER CREDIT [ ] 490 CABLE/SATELLITE TV [ ] 810 SELECTIVE SERVICE [ ] 850 SECURITIES/ COMMODITIES/ EXCHANGE [ ] 875 CUSTOMER CHALLENGE 12 USC 3410 [ ] 890 OTHER STATUTORY ACTIONS [ ] 891 AGRICULTURAL ACTS [ ] 892 EONOMIC STABILIZATION ACT [ ] 893 ENERGY ALLOCATION ACT [ ] 894 ENERGY ALLOCATION ACT [ ] 895 FREEDOM OF INFORMATION ACT [ ] 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE [ ] 950 CONSTITUTIONALITY OF STATE STATUTES			
	Check if demanded				TO 4 ON W. OADT NOW.				
CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23			IF SO, STATE:		ED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?				
DEMAND \$ OTHER		JUDGE Jed S. Rakoff		DOCKET NUMBER 12-mc-115					
	: YES only if deman ' DEMAND: ☐ YI		NOTE: Please	submit at the time of filing	an explanation of why case	es are deemed related.			

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(PLACE AN x IN ONE BOX ONLY) ORIGIN												
1 Original Proceeding 2 Removed from State Court From Reopened Appellate Court Court D. At least one		ransferred from Specify District)	6 Multidistrict Litigation	Judge fr	ate Judge							
party is pro se.  (PLACE AN X IN ONE BOX ONLY)  BASIS OF JURISDICTION  IF DIVERSITY, INDICATE												
	ANT 3 FEDERAL QUESTION 4 DIV			DIVERSITY IF DIVERSITY, INDICATE CITIZENSHIP BELOW. (28 USC 1332, 1441)								
CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)												
(Place an [X] in one box for Plaintiff and one box for Defendant)												
· · · · = · · · · · · · · · · · · · · ·	TF DEF ]3 [ ]3		ATED <u>and</u> PRINCIPAL F SS IN ANOTHER STATE		DEF []5							
CITIZEN OF ANOTHER STATE [ ] 2 [ ] 2 INCORPORATED or PRINCIPAL PLACE [ ] OF BUSINESS IN THIS STATE	]4 [ ]4	FOREIGN N	AATION	[]6	[]6							
PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)												
		<u> </u>										
DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)												
DEFENDANT(S) ADDRESS UNKNOWN REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:												
Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN (DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)												
DATE 2/15/2013 SIGNATURE OF ATTORNEY OF RECORD		MITTED TO PI NO	RACTICE IN THIS DIS	STRICT								
RECEIPT # 9177372 Mus Estimates	×		DMITTED Mo. Dec. e # DB-6872	Yr. 2005	_)							
Magistrate Judge is to be designated by the Clerk of the Court.												
Magistrate Judge		<del></del>	is so Designated.	•								
Ruby J. Krajick, Clerk of Court by Deputy Clerk, DATE	ED											
UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)												